

Introduced by Senator Denham

February 16, 2007

An act to amend Section 12811 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 318, as introduced, Denham. Driver's license.

Existing law describes the contents of a driver's license issued by the Department of Motor Vehicles.

The bill would make technical, nonsubstantive changes in that law.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 12811 of the Vehicle Code is amended
2 to read:
3 12811. (a) (1) (A) When the department determines that the
4 applicant is lawfully entitled to a license, it shall issue to the person
5 a driver's license as applied for. The license shall state the class
6 of license for which the licensee has qualified and shall contain
7 the distinguishing number assigned to the applicant, the date of
8 expiration, the true full name, age, and mailing address of the
9 licensee, a brief description and engraved picture or photograph
10 of the licensee for the purpose of identification, and space for the
11 signature of the licensee.
12 (B) Each license shall also contain a space for the endorsement
13 of a record of each suspension or revocation thereof.

1 (C) The department shall use whatever process or processes, in
2 the issuance of engraved or colored licenses, that prohibit, as near
3 as possible, the ability to alter or reproduce the license, or prohibit
4 the ability to superimpose a picture or photograph on the license
5 without ready detection.

6 (2) In addition to the requirements of paragraph (1), a license
7 issued to a person under 18 years of age shall display the words
8 “provisional until age 18.”

9 (b) (1) The front of an application for an original or renewal
10 of a driver’s license or identification card shall contain a space for
11 an applicant to give his or her consent to be an organ and tissue
12 donor upon death. An applicant who gives consent shall be directed
13 to read a statement on the back of the application that shall contain
14 the following statement:

15 “If you marked on the front of the application that you want to
16 be an organ and tissue donor upon death, your consent shall serve
17 as a legally binding document as outlined under the California
18 Uniform Anatomical Gift Act. Except in the case where the donor
19 is under the age of 18, the donation does not require the consent
20 of any other person. For donors under the age of 18, the legal
21 guardian of the donor shall make the final decision regarding the
22 donation. If you want to change your decision to consent in the
23 future, or if you want to limit the donation to specific organs or
24 tissues, you must contact Donate Life California by mail at 1760
25 Creekside Oaks Drive, #160, Sacramento, CA 95833, or through
26 the World Wide Web at www.donateLIFECalifornia.org, or
27 www.doneVIDACalifornia.org.”

28 (2) Notwithstanding any other provision of law, a person under
29 age 18 may register as a donor. However, the legal guardian of
30 that person shall make the final decision regarding the donation.

31 (3) The department shall collect donor designation information
32 on all applications for an original or renewal driver’s license or
33 identification card.

34 (4) The department shall print the word “DONOR” or another
35 appropriate designation on the face of a driver’s license or
36 identification card to a person who registered as a donor on a form
37 issued pursuant to this section.

38 (5) On a weekly basis, the department shall electronically
39 transmit to Donate Life California, a nonprofit organization
40 established and designated as the California Organ and Tissue

1 Donor Registrar pursuant to Section 7152.7 of the Health and
2 Safety Code, all of the following information on every applicant
3 that has indicated his or her willingness to participate in the organ
4 donation program:

- 5 (A) His or her true full name.
- 6 (B) His or her residence or mailing address.
- 7 (C) His or her date of birth.
- 8 (D) His or her California driver's license number or
9 identification card number.

10 (6) (A) A person who applies for an original or renewal driver's
11 license or identification card may designate a voluntary
12 contribution of two dollars (\$2) for the purpose of promoting and
13 supporting organ and tissue donation. This contribution shall be
14 collected by the department, and treated as a voluntary contribution
15 to Donate Life California and not as a fee for the issuance of a
16 driver's license or identification card.

17 (B) The department may use the donations collected pursuant
18 to this paragraph to cover its actual administrative costs incurred
19 pursuant to paragraphs (3) to (5), inclusive. The department shall
20 deposit all revenue derived pursuant to this paragraph and
21 remaining after the department's deduction for administrative costs
22 in the Donate Life California Trust Subaccount, ~~that~~ *which* is
23 hereby created in the Motor Vehicle Account in the State
24 Transportation Fund. Notwithstanding Section 13340 of the
25 Government Code, all revenue in this subaccount is continuously
26 appropriated, without regard to fiscal years, to the Controller for
27 allocation to Donate Life California and shall be expended for the
28 purpose of increasing participation in organ donation programs.

29 (7) The enrollment form shall be posted on the Internet Web
30 sites for the department and the California Health and Human
31 Services Agency.

32 (8) The enrollment shall constitute a legal document pursuant
33 to the Uniform Anatomical Gift Act (Chapter 3.5 (commencing
34 with Section 7150) of Part 1 of Division 7 of the Health and Safety
35 Code) and shall remain binding after the donor's death despite any
36 express desires of next of kin opposed to the donation. Except as
37 provided in paragraph (2) of subdivision (b), the donation does
38 not require the consent of any other person.

39 (9) Donate Life California shall ensure that all additions and
40 deletions to the California Organ and Tissue Donor Registry,

- 1 established pursuant to Section 7152.7 of the Health and Safety
2 Code, shall occur within 30 days of receipt.
- 3 (10) Information obtained by Donate Life California for the
4 purposes of this subdivision shall be used for these purposes only
5 and shall not be disseminated further by Donate Life California.
- 6 (c) A public entity or employee shall not be liable for loss,
7 detriment, or injury resulting directly or indirectly from false or
8 inaccurate information contained in the form provided pursuant
9 to subdivision (b).
- 10 (d) A contract shall not be awarded to a nongovernmental entity
11 for the processing of driver's licenses, unless the contract conforms
12 to all applicable state contracting laws and all applicable procedures
13 set forth in the State Contracting Manual.
- 14 ~~(e) This section shall become operative on July 1, 2006.~~